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Examiner Michael G. Hartley - Art Unit 1616 Commissioner for Patents	(571) 272-0616	(571) 273-8300

<p>From : Stephen E. Reiter <i>SE</i></p> <p>Email Address : sreiter@foley.com</p> <p>Sender's Direct Dial : 858.847.6711</p> <p>Date : January 11, 2006</p> <p>Client/Matter No : VPHAR1460-2 (ABI1460-2 (071243-1301))</p> <p>User ID No : 1877</p>
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MESSAGE:

Re: Application Serial No. 09/446,783

Following are

- 1) Notice of Appeal with Petition for Extension of Time and Deposit Account Authorization, in duplicate (4 pgs.)

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JAN 11 2006

Atty. Dkt. No. VPHAR1460-2
ABI1460-2 (071243-1301)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Desai et al.

Title: NOVEL FORMULATIONS OF
PHARMACOLOGICAL AGENTS,
METHODS FOR THE
PREPARATION THEREOF AND
METHODS FOR THE USE
THEREOF

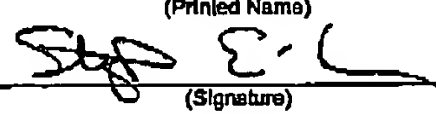
Appl. No.: 09/446,783

Filing Date: 5/16/2000

Examiner: M. Hartley

Art Unit: 1616

Conf. No. 2878

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Stephen E. Reiter (Printed Name)  (Signature) January 11, 2006 (Date of Deposit)

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated July 12, 2005, finally rejecting Claims 73-75, 103-105 and 122-133.

☐ Applicant claims small entity status.☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below.☒ Notice of Appeal Fee

01/12/2006 TL0111 00000045 500872 09446783

01 FC:1401 500.00 DA
02 FC:1253 1020.00 DA

DLMR_279634.1

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CENTRAL FAX CENTER****JAN 11 2006**Atty. Dkt. No. VPHAR1460-2
ABI1460-2 (071243-1301)In re application of
Desai *et al.*
Application No.: 09/446,783
Page 2 of 2☒ To be paid as detailed below.

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$500.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$1,520.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract 1/2 of above):	\$0.00
	TOTAL FEE:	\$1,520.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$1,520.00. A duplicate copy of this transmittal is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

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